

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

**MAERSK SEALAND,**  
**Plaintiff,**

**V.**

**PERINI MANAGEMENT  
SERVICES, INC.,  
Defendant.**


Civil Action No.: 04 CV 10220

**PLAINTIFF'S NOTICE OF DISMISSAL UNDER FRCP 41(a)(1)**  
**WITHOUTH PREJUDICE NO ANSWER HAVING BEEN FILED**

The Plaintiff hereby gives notice of dismissal under FRCP 41(a)(1) without prejudice no service of an answer having been made by the Defendant.

The Plaintiff,  
By its Attorney,

Date: February 10, 2004

  
EDMUND M. PITTS, ESQ.  
PITTS & PITTS, LLC  
BBO#: 400880  
Seaport Landing  
152 Lynnway, Unit 1F  
Lynn, MA 01902  
(781) 596-7171

**LAW OFFICES OF  
ALBERT J. AVALLONE & ASSOC.**

By *s/ Albert J. Avallone*  
 Albert J. Avallone – AA1679  
 Attorneys for Plaintiff  
**MAERSK SEALAND**  
 551 Fifth Avenue, Suite 1701  
 New York, NY 10176  
 (212) 696-1760

EDMUND M. PITTS  
ALSO ADMITTED IN ME

EDMUND R. PITTS  
ALSO ADMITTED IN ME & NM

**PITTS & PITTS, L.L.C.**

LAW OFFICE

SEAPORT LANDING  
152 LYNNWAY, UNIT 1F  
LYNN, MA 01902  
TELEPHONE (781) 596-7171  
TELECOPIER (781) 599-4946



February 10, 2004

**HAND DELIVER**

United States District Court  
for the District of Massachusetts  
John Joseph Moakley U.S. Courthouse  
One Courthouse Way  
Boston, MA 02210

Re: Maersk Sealand v. Perini Management Services, Inc.  
No.: 04 CV 10220

Dear Sir/Madam:

We enclose for filing:

1. PLAINTIFF'S NOTICE OF DISMISSAL UNDER  
FRCP 41(a)(1) WITHOUT PREJUDICE NO ANSWER  
HAVING BEEN FILED.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Edmund M. Pitts".

Edmund M. Pitts

EMP/kas  
ENC.

CC: Albert J. Avallone, Esq.